

91-190-1 111 **PETITION FOR ZONING VARIANCE** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1502.5.C.1 (301.1) to permit a side yard setback of 3 feet in lieu of the required 7.5 feet.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Bad weather protection for incapacitated spouse from automobile to house entrance.
2. Protection from weather for automobile and house; also for visitors waiting to be admitted at side door.
3. Weather protection for outdoor activities. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
County for Petitioner:
(Type or Print Name)
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Charles J. Restivo
Name
5900 Sunset Avenue, 21207 747-2468
Address
Phone No.

Legal Owner(s):
Charles J. Restivo
(Type or Print Name)
Signature
Ruth M. Restivo
(Type or Print Name)
Signature
Address
City and State
County for Petitioner:
(Type or Print Name)
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Charles J. Restivo
Name
5900 Sunset Avenue, 21207 747-2468
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of February, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of April, 1981, at 9:30 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCE
NE/S of Sunset Ave., 125.4'
NW of Ingleside Ave.,
1st District
CHARLES J. RESTIVO, et ux,
Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 81-173-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

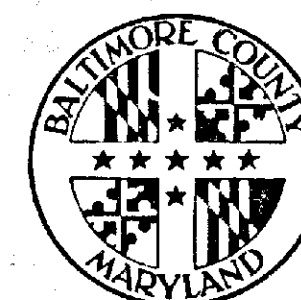
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
[Signature]
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 18th day of March, 1981, a copy of the foregoing Order was mailed to Mr. and Mrs. Charles J. Restivo, 5900 Sunset Avenue, Catonsville, Maryland 21207, Petitioners.

[Signature]
John W. Hession, III

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 27, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. Charles J. Restivo
5900 Sunset Avenue
Baltimore, Maryland 21207

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Item No. 141
Petitioner-Charles J. Restivo, et ux
Variance Petition

Dear Mr. & Mrs. Restivo:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal to legalize the setback of the existing carport on the side of your dwelling, this variance is required. Particular attention should be afforded to the comments of the Department of Permits and Licenses, and you may contact Mr. Ted Burnham at 494-3987 for additional explanation.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,
[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bse
Enclosures

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
494-3211
STEPHEN E. COLLINS
DIRECTOR

March 16, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

With regard to ZAC meeting of February 10, 1981, this department has no comment on items #137 thru 141 as well as item #143 and #144.

Very truly yours,

[Signature]
Michael S. Flanigan
Engineer Associate II

NSF/bza

141

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

March 16, 1981

Mr. William E. Hammond
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 141, Zoning Advisory Committee Meeting of February 10, 1981, are as follows:

Property Owner: Charles T. and Ruth M. Restivo
Location: NE/S Sunset Avenue 125.4' N/W of Ingleside Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side yard setback of 3' in lieu of the required 7.5'
Acres: 60.21 X 130.5
District: 1st

Metropolitan water and sewer exist, therefore, no health hazards are anticipated.

Very truly yours,
[Signature]
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

112/kc

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

March 6, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #141 (1980-1981)
Property Owner: Charles J. & Ruth M. Restivo
N/ES Sunset Avenue 125.4' N/W of Ingleside Avenue
Acres: 60.21 x 130.5 District: 1st

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This property comprises Lots 50, 51 and 52, Block 9 "Catonsville Gardens", recorded M.P.C. 6, Folio 157.

Baltimore County highway and utility improvements are not directly involved.

Sunset Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Fire hydrants are located on Hilltop Avenue, and on Sunset Avenue, approximately 850 feet southeasterly of this property.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 141 (1980-1981).

Very truly yours,
[Signature]
ROBERT A. MORROW, P.E., Chief
Bureau of Public Services

RAM:EAM:FWB:ss
cc: Jack Wimbley, William Munchel
1-SE & K-SW Key Sheets
1 & 2 NW 20 & 21 Pos. Sheets
NW 1 E & 1 P Topo
95 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERDER
DIRECTOR

March 11, 1981

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #141, Zoning Advisory Committee Meeting, February 10, 1981, are as follows:

Property Owner: Charles J. and Ruth M. Restivo
Location: NE/S Sunset Avenue 125.4' N/W of Ingleside Avenue
Acres: 60.21 X 130.5
District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development

Beginning at a point 125.4' northwest of Ingleside Avenue, on the northeast side of Sunset Avenue, Being lots Nos. 50, 51 and 52, block 9 as shown on a plat of CATONSVILLE GARDENS, which plat is recorded among the land records of Baltimore County in Flat Book WPC No. 6, Folio 157, otherwise known as 5900 Sunset Avenue.

PETITION FOR VARIANCE 1st District

ZONING: Petition for Variance for side yard setback
LOCATION: Northeast side of Sunset Avenue, 125.4 feet Northwest of Ingleside Avenue
DATE & TIME: Thursday, April 9, 1981 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 3 feet in lieu of the required 7.5 feet

The Zoning Regulation to be excepted as follows:

Section 1B02.3.C.1 (301.1) - side yard setbacks

All that parcel of land in the First District of Baltimore County

Being the property of Charles J. Restivo, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, April 9, 1981 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
TO: Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition No. 81-173-A Item 141
Date: March 17, 1981

Petition for Variance for side yard setback
Northeast side of Sunset Avenue, 125.4 feet Northwest of Ingleside Avenue
Petitioner: Charles J. Restivo, et ux

First District

HEARING: Thursday, April 9, 1981 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:ab

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
TO: Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition No. 81-173-A Item 141
Date: March 17, 1981

Petition for Variance for side yard setback
Northeast side of Sunset Avenue, 125.4 feet Northwest of Ingleside Avenue
Petitioner: Charles J. Restivo, et ux

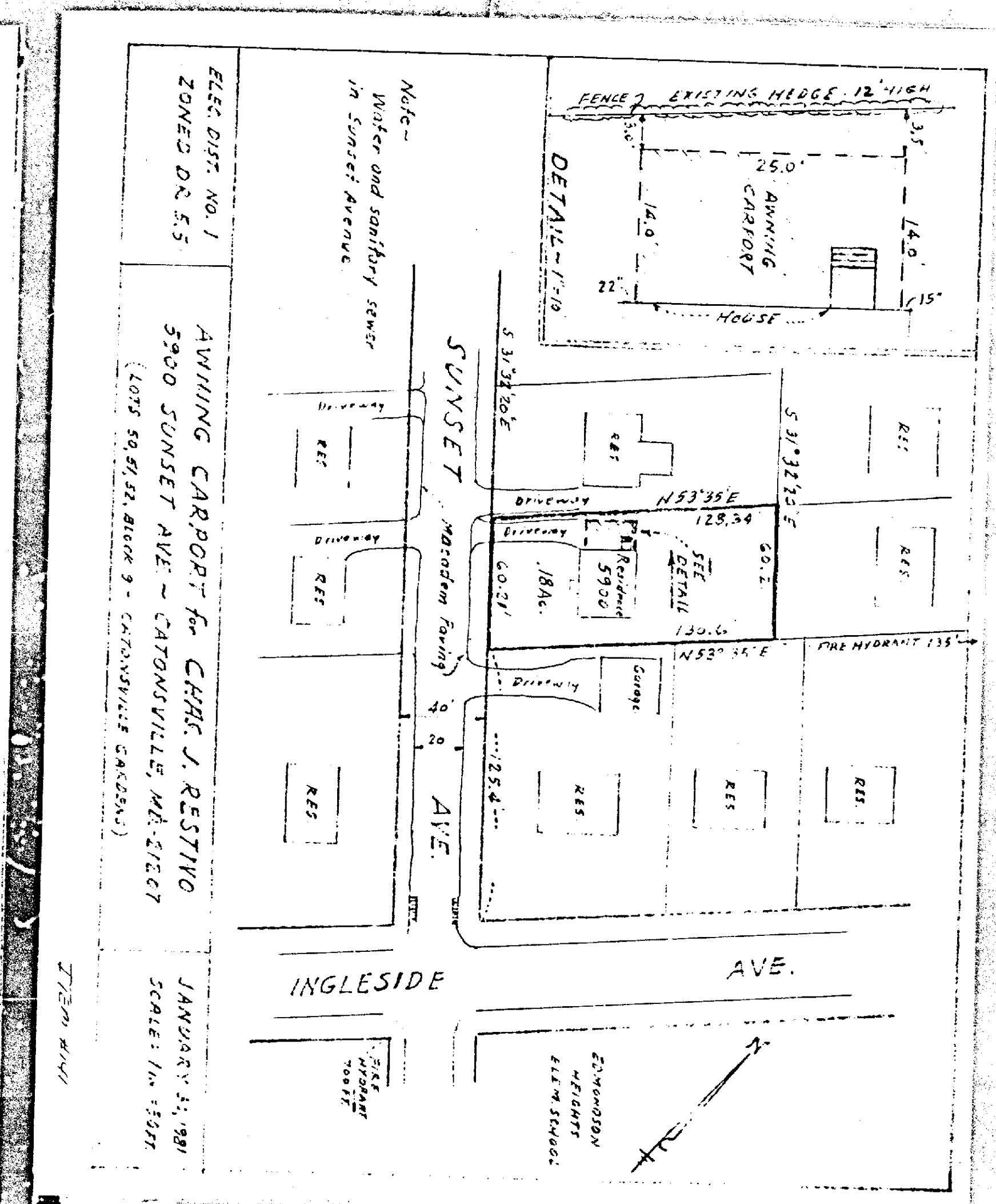
First District

HEARING: Thursday, April 9, 1981 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:ab



Mr. & Mrs. Charles J. Restivo
5900 Sunset Avenue
Catonsville, Maryland 21207

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 10th day of February, 1981.

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Charles J. Restivo, et ux

Petitioner's Attorney: Reviewed by: Nicholas E. Commodari
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 19, 1981
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one times before the 2th day of April, 1981, the first publication appearing on the 19th day of March 1981.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$

PETITION FOR VARIANCE 1st DISTRICT

ZONING: Petition for Variance for side yard setback
LOCATION: Northeast side of Sunset Avenue, 125.4 feet Northwest of Ingleside Avenue
DATE & TIME: Thursday, April 9, 1981 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 3 feet in lieu of the required 7.5 feet

The Zoning Regulation to be excepted as follows:

Section 1B02.3.C.1 (301.1) - side yard setbacks

All that parcel of land in the First District of Baltimore County

Being the property of Charles J. Restivo, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, April 9, 1981 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

By Order of
WILLIAM E. HAMMOND
Zoning Commissioner
of Baltimore County
Mar. 19

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 2nd day of February, 1981*
Filing Fee \$ 25.00 Received: Check

Cash
Other

Item 141

Petitioner: Charles Restivo

Submitted by: Charles Restivo

Petitioner's Attorney: Reviewed by: William E. Hammond, Zoning Commissioner

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

DATE: March 9, 1981 ACCOUNT: 01-662
AMOUNT: \$25.00

RECEIVED FROM: Charles J. Restivo
FOR: Filing Fee for Case No. 81-173-A

VALIDATION OR SIGNATURE OF CASHIER

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: DI										
Previous case: None										
Revised Plans: Change in outline or description										
Map #										

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1st
Posted for: Variance
Petitioner: Charles J. Restivo, et ux
Location of property: NE 1/4 of Sunset Avenue 125.4 NW of Catonsville Avenue
Location of Signs: Front of 5900 Sunset Avenue approx. 150' W. of Catonsville Avenue
Remarks:
Posted by: Stephen J. Crute
Number of Signs: 1
Date of Posting: 3-21-81
Date of return: 3-27-81

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 097224
DATE: 4/9/81 ACCOUNT: 01-662
AMOUNT: \$41.00
RECEIVED FROM: Charles J. Restivo 81-173-A
FOR: Posting and advertising
VALIDATION OR SIGNATURE OF CASHIER

